

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

In re: PHARMACEUTICAL INDUSTRY	)	
AVERAGE WHOLESALE PRICE	)	
LITIGATION	)	MDL No. 1456
_____	)	Master Case No. 01-12257-PBS
	)	
THIS DOCUMENT RELATES TO:	)	Subcategory Case No. 06-11337-PBS
	)	
<i>United States of America ex rel. Ven-a-Care</i>	)	
<i>of the Florida Keys, Inc. v. Dey, Inc., et al.,</i>	)	Hon. Patti B. Saris
Civil Action No. 05-11084-PBS, and	)	
	)	
<i>United States of America ex rel. Ven-a-Care</i>	)	
<i>of the Florida Keys, Inc. v. Boehringer</i>	)	
<i>Ingelheim Corporation, Inc., et al., Civil</i>	)	
Action No. 07-10248-PBS	)	
	)	

**MOTION BY PLAINTIFFS AND ROXANE DEFENDANTS  
FOR EMERGENCY STATUS CONFERENCE**

Plaintiffs United States of America and Relator Ven-A-Care of the Florida Keys, Inc., together with defendants Boehringer Ingelheim Corporation, Boehringer Ingelheim Pharmaceuticals, Inc., Roxane Laboratories, Inc., and Roxane Laboratories, Inc. n/k/a Boehringer Ingelheim Roxane, Inc. (the "Roxane defendants"), hereby request an immediate emergency status conference for all parties, to be held at the earliest possible time that can be scheduled, by telephone if acceptable or necessary, so that the parties can discuss with the Court some recent developments in the case.

Counsel for the Dey defendants has been informed of this development, and the request by plaintiffs and the Roxane defendants for an emergency status conference.

WHEREFORE plaintiffs request that the Court set an emergency status conference for today or tomorrow. If the Court is available, the undersigned can assist in coordinating a

mutually agreeable time with counsel for the other parties.

Respectfully submitted,

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CERTIFICATION

The undersigned certifies pursuant to LR 7.1(A)(2) that counsel have conferred concerning the above motion.

/s/ George B. Henderson, II

George B. Henderson, II

CERTIFICATE OF SERVICE

I hereby certify that I have this day caused an electronic copy of the above document to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ George B. Henderson, II

George B. Henderson, II

Assistant U.S. Attorney

Dated: March 25, 2010